



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
February 20, 2009

Subject: CA Decision for Safety-Kleen Corporation (PAD055531222)
To: File
From: Kevin Bilash

Location: Region III office

Attendees: EPA: Paul Gotthold, Kevin Bilash

On December 31, 2008, EPA sent an email to Walt Harner asking if the Safety-Kleen facility with the EPA ID#PAD055531222 was ever classified as a TSD to determine if it needs to be added to our 2020 baseline list. A 1/5/2009 email response from Carl Spadaro (PADEP SWRO) responded that it was and that they would forward information to EPA.

On January 30, 2009 EPA received documents supporting a 1/27/09 email summarizing PADEP's oversight and approval of remediation at this facility. Based on this information, EPA will not propose to add this facility to our baseline list solely to public notice a cleanup approved by PADEP in 1993. Furthermore, the rationalization is that this facility was not included on any baseline list as it was understood cleanup had been completed.

Please review the attached documents supporting this decision, if necessary.

CONCURRENCES							
SYMBOL	3LC30	3LC30					
SURNAME	K. Bilash	P. Gotthold					
DATE	2/20/09						

EPA Form 1320-1 (12-70)

OFFICIAL FILE COPY






"Spadaro, Carl"
<cspadaro@state.pa.us>
01/27/2009 03:34 PM

To: Kevin Bilash/R3/USEPA/US@EPA
cc: "Bertha, Elizabeth R" <ebertha@state.pa.us>, "Harner, Walter" <wharner@state.pa.us>
bcc:

Subject: RE: Safety Kleen facilities

History:  This message has been replied to.

Sorry for the delay on this. This is what we're sending you:

1. SK-Clairton - There was groundwater contamination caused by leaking product and waste mineral spirits USTs. We know you were looking for 1998 groundwater samples confirming acceptable remediation, but we cannot locate such a report. We're sending you:

- A 12/12/89 memo from me summarizing the site history
- A 1997 set of groundwater data (which shows that only low levels of benzene remained after closure of their facility) and a memo from me explaining SK's plans to complete remediation activities by injecting oxygen-release "socks" into a well to oxidize residual benzene
- A 2/11/97 DEP letter explaining why SK did not meet a remediation standard in a COA
- A 12/18/97 DEP letter requiring 4 more quarters of monitoring to demonstrate that the benzene did not return to the well of concern
- A 1/27/99 SK letter indicating that since the benzene standard (0.0050 mg/l) was met, the wells would be abandoned
- A 4/15/99 letter from IT Group, consultant to SK, indicating that the wells were abandoned. Attached to this correspondence was an inspection report from me dated 12/3/98 indicating that the remediation standard was met - you do trust me, don't you Kevin?

2. SK-Pittsburgh (aka Baldwin, aka Curry Hollow Road) - Same problem as with the Clairton site, but to a much lesser extent. We're sending you:

- A 6/6/85 report from SK explaining how this facility was closed
- A 3/21/90 letter from DEP requiring soil and groundwater sampling for the former waste USTs
- A 7/12/90 report from Mathes, consultant to SK, on an environmental assessment of the site
- A 9/09/91 report from SK and their consultant on groundwater data
- A 1/15/92 modified owner/operator certification of closure
- A 5/12/92 letter from DER requiring continued groundwater monitoring
- A 5/29/92 letter from SK agreeing to continue groundwater monitoring
- A 12/8/92 report from SK containing groundwater data demonstrating attainment
- A 12/30/92 modified engineering certification of closure
- A 1/5/93 inspection report from me indicating acceptable closure, along with a DEP lab report for TPH in groundwater (non-detect)
- A 2/1/93 DER certification of closure for this site

Any questions on these documents, let us know.

-----Original Message-----

From: Spadaro, Carl
Sent: Monday, January 05, 2009 9:17 AM
To: Harner, Walter
Cc: Bertha, Elizabeth R; 'Bilash, Kevin@epamail.epa.gov'
Subject: RE: Safety Kleen facilities

Yes - it operated under interim status and has since closed. Since we're digging up info for SK's former Clairton facility for Kevin Bilash, we can forward info on the Old Curry Hollow Road (Baldwin) site as well.

-----Original Message-----

From: Harner, Walter
Sent: Monday, January 05, 2009 9:13 AM
To: Spadaro, Carl; Bertha, Elizabeth R
Subject: FW: Safety Kleen facilities

Can you please let me know if Safety Kleen (PAD055531222) located at 368 Old Curry Hollow Rd., Pittsburgh was ever classified as a TSD?

Walt Harner | Solid Waste Program Specialist
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street | Harrisburg, PA 17101
Phone: 717-783-1736 | Fax: 717-787-0884
www.depweb.state.pa.us

-----Original Message-----

From: Bilash.Kevin@epamail.epa.gov [mailto:Bilash.Kevin@epamail.epa.gov]
Sent: Wednesday, December 31, 2008 12:20 PM
To: Harner, Walter
Cc: Gotthold.Paul@epamail.epa.gov
Subject: Safety Kleen facilities

Walt,

I just came across a few facilities, specifically Safety Kleen, that are not on our 2020 list. Paul suggested sending them to you to forward to your regional offices to determine if they were ever classified as TSDs before adding them to our list. Can you please do that?

The specifics are:

Name	location
PAD	
Safety Kleen Oil Service	Mitchell Ave & Clinton Ave
Andalusia, PA 19020	981936032
Safety Kleen	Union Road Modena, PA 19358
051399517	
Safety Kleen Corp	52 E. Oregon Ave Philadelphia, PA 19148
PA0000562173	
Safety Kleen Corp	368 Old Curry Hollow Road Pitt., PA 15236
055531222	

Thanks,
Kevin Bilash
US EPA Region III
Land & Chemicals Division 3LC30
1650 Arch Street
Philadelphia, PA 19103
Tel: 215-814-2796



"Spadaro, Carl"
<cspadaro@state.pa.us>
01/05/2009 09:17 AM

To "Harner, Walter" <wharner@state.pa.us>
cc "Bertha, Elizabeth R" <ebertha@state.pa.us>, Kevin
Bilash/R3/USEPA/US@EPA
bcc

Subject RE: Safety Kleen facilities

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Safety Kleen	Union Road Modena, PA 19358
051399517	
Safety Kleen Corp	52 E. Oregon Ave Philadelphia, PA 19148
PA0000562173	
Safety Kleen Corp	368 Old Curry Hollow Road Pitt., PA 15236
055531222	



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
SOUTHWEST REGION - FIELD OPERATIONS
WASTE MANAGEMENT
400 Waterfront Drive
Pittsburgh, Pennsylvania 15222-4745
(412) 442-4000 (answers 24 hrs.)

February 1, 1993

CERTIFIED MAIL #P 375 829 800

Ms. Deborah Green, PG, CHMM
Senior Project Manager - Remediation
Safety-Kleen Corporation
P.O. Box 29406
Greensboro, N.C. 27429


RE: Safety-Kleen Corporation
Pittsburgh Service Center
PAD055531222
Jefferson Borough
Allegheny County

Dear Ms. Green:

The Department has reviewed Safety-Kleen Corporation's December 8, 1992 Groundwater Analysis Report for the above referenced facility. As required by the Department's May 12, 1992 modification of the August 28, 1984 approved closure plan for this hazardous waste storage facility, Safety-Kleen has demonstrated a consistent trend in non-detectable levels of total petroleum hydrocarbon (TPH), qualified as mineral spirits, in groundwater. Mineral spirits are indicative of the hazardous waste previously stored in the former underground storage tanks at this site. These tanks were removed in 1989.

The Department inspected this site on January 5, 1993 and obtained a sample of groundwater from the recovery well installed in the former tank pit area. The water did not exhibit a sheen or an odor. The Department's analysis of the water indicated no detectable levels of TPH. Please see the attached inspection report. The Department accepts the December 29, 1992 professional engineer closure certification and report submitted by Environmental Alliance, Inc. on behalf of Safety-Kleen and the January 13, 1993 owner/operator closure certification.



Please refer to Section V. Line-by-Line Instructions for Completing EPA Form 8700-12 before completing this form. The information requested here is required by law (Section 3010 of the Resource Conservation and Recovery Act).		Notification of Regulated Waste Activity  United States Environmental Protection Agency		Date Received (For Official Use Only)	
I. Installation's EPA ID Number (Mark 'X' in the appropriate box)					
<input checked="" type="checkbox"/> A. Initial Notification		<input type="checkbox"/> B. Subsequent Notification (Complete item C)		C. Installation's EPA ID Number PAR0000023994	
II. Name of Installation (Include company and specific site name)					
BAYER CORPORATION					
III. Location of Installation (Physical address not P.O. Box or Route Number)					
Street					
3801 WEST CHESTER PIKE					
Street (Continued)					
E B U I L D I N G					
City or Town				State	Zip Code
NEW TOWN SQUARE				PA	19073-2387
County Code		County Name			
045		DELAWARE			
IV. Installation Mailing Address (See instructions)					
Street or P.O. Box					
3801 WEST CHESTER PIKE					
City or Town				State	Zip Code
NEW TOWN SQUARE				PA	19073-2387
V. Installation Contact (Person to be contacted regarding waste activities at site)					
Name (Last)			(First)		
SHERIDAN			JAMES		
Job Title			Phone Number (Area Code and Number)		
ENV. SPECIALIST			412-777-2222		
VI. Installation Contact Address (See instructions)					
A. Contact Address Location		B. Street or P.O. Box			
		100 BAYER ROAD			
City or Town				State	Zip Code
PITTSBURGH				PA	15205-9741
VII. Ownership (See instructions)					
A. Name of Installation's Legal Owner - PROPERTY OWNER (& BLDG owner)					
ATLANTIC RICHFIELD COMPANY					
Street, P.O. Box, or Route Number					
515 SOUTH FLOWER STREET					
City or Town				State	Zip Code
LOS ANGELES				CA	90071-
Phone Number (Area Code and Number)			B. Land Type	C. Owner Type	D. Change of Owner Indicator
213-486-3511			P	P	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
			Date Changed Month Day Year 04/01/2000		

Legal owner: Bayer Corp

100 Bayer RD

Pittsburgh PA 15205-9741

417-777-2000

Per call X

Per call X

ID - For Official Use Only

VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes. Refer to Instructions)

A. Hazardous Waste Activities

1. Generator (See Instructions)
- ☒ a. Greater than 1000kg/mo (2,200 lbs.)
- ☐ b. 100 to 1000 kg/mo (220-2,200 lbs.)
- ☐ c. Less than 100 kg/mo (220 lbs.)
2. Transporter (Indicate Mode in boxes 1-5 below)
- ☐ a. For own waste only
- ☐ b. For commercial purposes

Mode of Transportation

- ☐ 1. Air
- ☐ 2. Rail
- ☐ 3. Highway
- ☐ 4. Water
- ☐ 5. Other - specify
- _____

- ☐ 3. Treater, Storer, Disposer (at Installation) Note: A permit is required for this activity, see instructions.
4. Exempt Boiler and/or Industrial Furnace
- ☐ a. Smelting, Melting, and Refining Furnace Exemption
- ☐ b. Small Quantity On-Site Burner Exemption
- ☐ 5. Underground Injection Control

C. Used Oil Management Activities

1. Used Oil Transporter/Transfer Facility - Indicate Type(s) of Activity(ies)
- ☐ a. Transporter
- ☐ b. Transfer Facility
2. Used Oil Processor/Re-refiner - Indicate Type(s) of Activity(ies)
- ☐ a. Processor
- ☐ b. Re-refiner
- ☐ 3. Off-Specification Used Oil Burner
4. Used Oil Fuel Marketer
- ☐ a. Marketer Who Directs Shipment of Off-Specification Used Oil to Used Oil Burner
- ☐ b. Marketer Who First Claims the Used Oil Meets the Specifications

B. Universal Waste Activity

- ☐ Large Quantity Handler of Universal Waste

IX. Description of Hazardous Wastes (Use additional sheets if necessary)

A. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See instructions if you need to list more than 12 waste codes.)

1 +	2 +	3 +	4 +	5 +	6 +
F 0 0 1	F 0 0 2	F 0 0 3	F 0 0 4	F 0 0 5	F 0 2 7
7 +	8 +	9 +	10 +	11 +	12 +
P 0 0 3	P 0 0 5	P 0 1 1	P 0 1 2	P 0 1 4	P 0 2 0

B. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24; See instructions if you need to list more than 4 toxicity characteristic waste codes.)

(List specific EPA hazardous waste number(s) for the Toxicity Characteristic contaminant(s))

1. Ignitable (D001)	2. Corrosive (D002)	3. Reactive (D003)	4. Toxicity Characteristic	1 +	2 +	3 +	4 +
X	X	X	X	D 0 0 4	D 0 0 5	D 0 0 6	D 0 0 7

C. Other Wastes. (State-regulated or other wastes requiring a handler to have an I.D. number; See instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Klaus Sommer

Name and Official Title (Type or print)

Klaus H. Sommer, VP Research

Date Signed

3-22-2000

XI. Comments

OFN: NOVA CHEMICALS INC

mah/x 3/28/00

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section IV of the booklet for addresses.)

ID - For Official Use Only

IX. Description of Hazardous Wastes (Continued; Additional Sheet)

A. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; Use this page only if you need to list more than 12 waste codes.)

13 + P 0 2 4	14 + P 0 2 8	15 + P 0 2 9	16 + P 0 3 0	17 + P 0 4 7	18 + P 0 4 8
19 + P 0 6 8	20 + P 0 6 9	21 + P 0 7 5	22 + P 0 7 6	23 + P 0 7 7	24 + P 0 7 8
25 + P 0 8 7	26 + P 0 9 3	27 + P 0 9 8	28 + P 1 0 4	29 + P 1 0 5	30 + P 1 0 6
31 + P 1 0 8	32 + P 1 1 3	33 + P 1 1 9	34 + P 1 2 0	35 + P 1 2 1	36 + P 2 0 5
37 + U 0 0 1	38 + U 0 0 6	39 + U 0 0 7	40 + U 0 0 8	41 + U 0 0 9	42 + U 0 1 2
43 + U 0 2 9	44 + U 0 4 1	45 + U 0 4 4	46 + U 0 5 2	47 + U 0 5 3	48 + U 0 6 8
49 + U 0 6 9	50 + U 0 8 0	51 + U 0 9 2	52 + U 0 9 6	53 + U 1 0 1	54 + U 1 0 2
55 + U 1 0 3	56 + U 1 0 5	57 + U 1 0 6	58 + U 1 0 7	59 + U 1 0 8	60 + U 1 1 2
61 + U 1 1 3	62 + U 1 1 5	63 + U 1 1 7	64 + U 1 2 1	65 + U 1 2 2	66 + U 1 2 3
67 + U 1 3 3	68 + U 1 3 4	69 + U 1 3 8	70 + U 1 4 4	71 + U 1 4 7	72 + U 1 5 1
73 + U 1 5 2	74 + U 1 5 3	75 + U 1 5 6	76 + U 1 5 9	77 + U 1 6 0	78 + U 1 6 2
79 + U 1 6 5	80 + U 1 6 9	81 + U 1 8 8	82 + U 1 9 0	83 + U 1 9 4	84 + U 2 0 4
85 + U 2 0 9	86 + U 2 1 3	87 + U 2 1 4	88 + U 2 1 6	89 + U 2 1 7	90 + U 2 1 9
91 + U 2 2 1	92 + U 2 2 2	93 + U 2 2 3	94 + U 2 2 8	95 + U 2 3 8	96 + U 2 4 6

B. Toxicity Characteristic Hazardous Wastes. (See 40 CFR 261.24; Use this page only if you need to list more than 4 waste codes.)

5 + D 0 0 8	6 + D 0 0 9	7 + D 0 1 0	8 + D 0 1 1	9 + D 0 1 9	10 + D 0 2 1
11 + D 0 2 2	12 + D 0 2 9	13 D 0 3 5	14 + D 0 3 6	15 + D 0 3 8	16 + D 0 3 9
17 	18 	19 	20 	21 	22

ID - For Official Use Only

IX. Description of Hazardous Wastes (Continued; Additional Sheet)

A. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; Use this page only if you need to list more than 12 waste codes.)

97	98	99	100	17	18
U 2 7 9	U 3 5 3	U 4 0 4			
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36
37	38	39	40	41	42
43	44	45	46	47	48
49	50	51	52	53	54
55	56	57	58	59	60
61	62	63	64	65	66
67	68	69	70	71	72
73	74	75	76	77	78
79	80	81	82	83	84
85	86	87	88	89	90
91	92	93	94	95	96

B. Toxicity Characteristic Hazardous Wastes. (See 40 CFR 261.24; Use this page only if you need to list more than 4 waste codes.)

5	6	7	8	9	10
11	12	13	14	15	16
17	18	19	20	21	22

March 21, 2000

Bayer Corporation
100 Bayer Road
Pittsburgh, PA 15205-9741
Phone: 412 777-2000

Ms. Jennifer Collins
U.S. Environmental Protection Agency, Region III
RCRA Programs Branch
Pennsylvania Section (3WC11)
1650 Arch Street
Philadelphia, PA 19103

RE: Initial Notification of Regulated Waste Activity
Bayer Corporation - Newtown Square, PA

Dear Ms. Collins:

In accord with 40 CFR 262.12 and 25 Pa. Code 262a.12, attached please find an initial Notification of Regulated Waste Activity (EPA 8700-12) form and Pennsylvania's Supplement to U.S. EPA Notification of Hazardous Waste Activity Form for the hazardous waste activities at Bayer Corporation's Newtown Square, PA installation.

As we discussed by phone on March 21, 2000, Bayer Corporation ("Bayer") is purchasing, pending final approvals, Lyondell Chemical Company's ("Lyondell's") Polyols Business effective approximately April 1, 2000. As a result of this sale, Bayer will own Lyondell's polyol technology operations at the research and development (R&D) facility located in Newtown Square, PA. Although the site is currently owned by Atlantic Richfield Company, it will be leased by both Bayer and Lyondell, and each company individually will be a large quantity generator of hazardous waste. As Bayer is a distinct entity (or "person" per the definition of generator at 40 CFR 260.10 and incorporated by reference in 25 Pa. Code), I understand that Bayer will require its own EPA Identification Number (EPA ID#). I understand this to be the case notwithstanding the fact that two EPA ID#s will subsequently be assigned to the single subject site. In accordance with our discussion, Bayer's initial notification distinguishes Bayer from Lyondell (EPA ID# PAD046538211) by use of a building qualifier within the description of the location of installation.

As we further discussed, as part of the expected lease arrangements and general services agreement between Bayer and Lyondell, there will be portions of the site shared by both companies and services potentially provided for Bayer by Lyondell. With regard to hazardous waste, Bayer and Lyondell will share the on-site less than ninety day accumulation area with each company's waste being clearly identified. Lyondell, as host,

will provide shared services to Bayer which are expected to include collection of Bayer generated waste, movement of Bayer generated hazardous waste to the less than ninety day accumulation area, and arrangement of off-site treatment, storage, and disposal of Bayer generated waste. I understand that this arrangement, which is strictly for efficiency purposes, will not elevate either Bayer or Lyondell from generators to owners or operators of hazardous waste treatment, storage and disposal facilities. Accordingly, Bayer and Lyondell will conduct their hazardous waste operations in accord with 40 CFR 262 and 25 Pa. Code 262a without the need for any hazardous waste permit.

Finally, as we discussed, each company will be responsible for complying with Federal and Pennsylvania hazardous waste regulations (in addition to all other regulations) applicable to their individual operations. As the operations transition, and where appropriate when the transition is complete, Bayer and Lyondell will jointly operate under existing preparedness, prevention, and contingency plans, source reduction strategies, etc. that are presently in place for the site.

In accord with my understandings noted above, I am submitting the enclosed EPA 8700-12 form for assignment to Bayer of an EPA ID#. I have identified Bayer's hazardous waste activities as solely large quantity generation, have listed all of the waste codes Bayer expects to generate, and will be initiating the adoption of all necessary plans to Bayer's hazardous waste operations.

If you have any questions, please call me at (412) 777-2222.

Sincerely,



James J. Sheridan, Jr.
Environmental Specialist
Bayer Corporation

cc: Thomas P. Baker, Lyondell Chemical Company
Grant Dufficy, U.S. Environmental Protection Agency, Region III
Robert Finkle, Pennsylvania Department of Environmental Protection
Benjamin L. Williams, Pennsylvania Department of Environmental Protection
Klaus H. Sommer, Bayer Corporation
Anne H. Lewis, Bayer Corporation

BABST, CALLAND, CLEMENTS and ZOMNIR, P.C.

Two Gateway Center, Eighth Floor

Pittsburgh, PA 15222

(412) 394-5400

Facsimile Number: (412) 394-6576

THIS MESSAGE AND THE FOLLOWING PAGES ARE INTENDED ONLY FOR THE PERSON TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

ATTORNEY-CLIENT PRIVILEGE

ATTORNEY WORK PRODUCT

OTHER

FAX COVER SHEET

Please deliver the following materials as soon as possible

To: Lynn Zhao
Mail Stop 3HW80

Fax Phone Number: (215) 566-3114

Confirming Phone Number:

Confirmed By:

From: James M. Singer

Date: October 1, 1996

Telephone #: (412) 394-5686

Floor: 8

Client No.: 557

Matter No. 23413

No. of Pages (includ. cover sheet):

Additional Comments or Instructions

1996 OCT -1 P 552

Return Originals To:

Jeanine

Floor No.

8



JAMES M. SINGER
Attorney at Law
(412) 394-5686

October 1, 1996

via FACSIMILE

Ms. Lynn Zhao
Mail Stop 3HW80
United States Environmental Protection Agency, Region III
841 Chestnut Street
Philadelphia, PA 19107

RE: Notification of Hazardous Waste Activity

Dear Ms. Zhao:

As indicated in my September 27, 1996, letter to you, NOVA Chemicals, Inc. ("NOVA"), was scheduled to conduct hazardous waste activity on September 30, 1996, at two locations: 400 Frankfort Road, Monaca, Pennsylvania 15061-2298 (the "Monaca Facility"); and 3801 West Chester Pike, Newtown Square, Pennsylvania 19073 (the "Newtown Square Facility"). The formal notification form for the Newtown Square Facility was inadvertently not enclosed with my September 27, 1996, letter. Therefore, the required form for that facility is enclosed.

In addition, to respond to your questions relating to the division of the subject properties, NOVA and ARCO Chemical Company ("ARCO") will conduct operations on these properties as follows:

1. **Monaca Facility:** This site is situated between State Route 18 (which is south of the site) and the Ohio River (which is north of the site). Pursuant to a lease/sale agreement, NOVA will lease/own and operate the central area of this site, which consists of the plant and which extends from the river to the road. ARCO will own and operate landfill areas east and west of the central plant area. ARCO will also utilize the northernmost portion of the area leased/owned by NOVA (near the Ohio River) as a transportation link between ARCO's east and west landfills. ARCO will

Two Gateway Center
Pittsburgh, Pennsylvania 15222
412 / 394-5400
Fax 412 / 394-6576

Ms. Lynn Zhao
October 1, 1996
Page 2

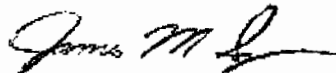
also conduct remedial activities in this northern area. ARCO's remedial and transportation activities will be unrelated to NOVA's continuing operation of the plant, and the waste streams generated by ARCO and NOVA will be separate and distinct.

2. Newtown Square Facility: At this site, NOVA will own and operate a certain structure (specifically, a pilot plant used for research and development purposes) which is located within the plant. All areas around this structure will continue to be owned and operated by ARCO.

Although ARCO and NOVA will use the same mailing address for each facility, ARCO and NOVA will conduct separate and distinct activities which will generate separate and distinct waste streams. Therefore, as we discussed, NOVA will require a new Facility Identification Number for each facility.

Thank you for your assistance. Please call me at (412) 394-5686 if you have any further questions.

Sincerely,



James M. Singer

JMS/

Enclosure

cc: Gregory D. Timmons, Esquire

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

EPA Notification of Regulated Waste Activity		Date Received (For Official Use Only)
I. Installation's EPA ID Number (Mark "X" in the appropriate box)		
<input checked="" type="checkbox"/> A. State Identification	<input type="checkbox"/> B. Federal Office Use Only	
II. Name of Installation (Include company and legal name)		
NOVA CHEMICALS, INC.		
III. Location of Installation (Physical address and P.O. Box or Route Number)		
Street		
3801 WEST CHESTER PIKE E		
Street (Continued)		
City or Town		
NEW TOWN SQUARE		
State		
PA		
Zip Code		
19073		
County Name		
DELAWARE		
IV. Installation Mailing Address (See instructions)		
Street or P.O. Box		
SAME		
City or Town		
State		
Zip Code		
V. Installation Contact (Person to be contacted regarding waste activity)		
Name (Last)		
WISSINGER		
First		
RAY		
Job title		
SR DEV. ENGR.		
Phone Number (Area Code and Number)		
610-359-2069		
VI. Installation Contact Address (See instructions)		
A. Contact Address		
Location Mailing Other		
<input checked="" type="checkbox"/> <input type="checkbox"/>		
B. Street or P.O. Box		
City or Town		
State		
Zip Code		
VII. Ownership (See instructions)		
A. Name of Installation's Legal Owner		
NOVA CHEMICALS, INC.		
Street, P.O. Box, or Route Number		
400 FRANKFORT ROAD		
City or Town		
MONACA		
State		
PA		
Zip Code		
15061		
Phone Number (Area Code and Number)		
412-774-1000		
B. Land Type		
P		
C. Owner Type		
P		
D. Change of Owner Indicator		
Yes		
No		
Date Changed		
Month		
Day		
Year		

per fax

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Per fax

VIII. Type of Regulated Waste (a-f) (Mark 'X' in the boxes corresponding to the characteristics of the waste.)

1. General (See instructions)	<input checked="" type="checkbox"/>	2. Corrosive (See instructions)	<input type="checkbox"/>	3. Flammable (See instructions)	<input type="checkbox"/>	4. Explosive (See instructions)	<input type="checkbox"/>	5. Oxidizing (See instructions)	<input type="checkbox"/>	6. Toxic (See instructions)	<input type="checkbox"/>	7. Infectious (See instructions)	<input type="checkbox"/>	8. Radioactive (See instructions)	<input type="checkbox"/>
9. Other (See instructions)	<input type="checkbox"/>	10. Other (See instructions)	<input type="checkbox"/>	11. Other (See instructions)	<input type="checkbox"/>	12. Other (See instructions)	<input type="checkbox"/>	13. Other (See instructions)	<input type="checkbox"/>	14. Other (See instructions)	<input type="checkbox"/>	15. Other (See instructions)	<input type="checkbox"/>	16. Other (See instructions)	<input type="checkbox"/>

IX. Description of Hazardous Wastes (Use additional sheets if necessary)

A. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24)

1. Ignitable (See instructions)	<input checked="" type="checkbox"/>	2. Corrosive (See instructions)	<input type="checkbox"/>	3. Reactive (See instructions)	<input type="checkbox"/>	4. Toxic (See instructions)	<input checked="" type="checkbox"/>	5. Other (See instructions)	<input type="checkbox"/>
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B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See instructions if you need to list more than 12 waste codes.)

1	2	3	4	5	6

C. Other Wastes. (State or other wastes requiring a handler to have an I.D. number; See instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature <i>Mark J. Lesky</i>	Name and Official Title (Type or print) MARK J. LESKY, LEADER, PUBLIC AFFAIRS AND THE ENVIRONMENT	Date Signed 9/26/96
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XI. Comments

BAH/12 10/4/96

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)



JAMES M. SINGER
Attorney at Law
(412) 394-5686

September 27, 1996

via FEDERAL EXPRESS

Ms. Lynn Zhao
Mail Stop 3HW80
United States Environmental Protection Agency, Region III
841 Chestnut Street
Philadelphia, PA 19107

RECEIVED
H/DC SECTION
OCT 1 1996
EPA REGION III

RE: Notification of Hazardous Waste Activity

Dear Ms. Zhao:

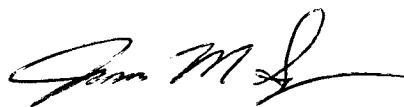
As we discussed on Friday, September 27, NOVA Chemicals, Inc. ("NOVA"), will begin to conduct hazardous waste activity on September 30, 1996 at two locations: 400 Frankfort Road, Monaca, Pennsylvania 15061-2298 (the "Monaca Facility") and 3801 West Chester Pike, Newtown Square, Pennsylvania 19073 (the "Newtown Square Facility"). The Monaca Facility is currently owned and operated by ARCO Chemical Company ("ARCO") pursuant to Facility Identification Number PAD068730225, and the Newtown Square Facility is currently owned and operated by ARCO pursuant to Facility Identification Number PAD046538211. On September 30, ARCO will enter into a lease/sale agreement with NOVA for specific portions of the Monaca Facility, and NOVA will purchase certain assets of the Newtown Square Facility from ARCO.

Although ARCO and NOVA will use the same mailing address for each facility, and ARCO may conduct waste generation activities on the portion of the property that will be leased/owned by NOVA at the Monaca Site, ARCO and NOVA will conduct separate and distinct activities which will generate separate and distinct waste streams. Therefore, as we discussed, NOVA will require a new Facility Identification Number for each facility. The required initial notification forms are enclosed.

Ms. Lynn Zhao
September 27, 1996
Page 2

Please call me at (412) 394-5686 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Singer". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

James M. Singer

JMS/

Enclosures

cc: Gregory D. Timmons, Esquire

BABST, CALLAND, CLEMENTS and ZOMNIR, P.C.

Two Gateway Center, Eighth Floor

Pittsburgh, PA 15222

(412) 394-5400

Facsimile Number: (412) 394-6576

THIS MESSAGE AND THE FOLLOWING PAGES ARE INTENDED ONLY FOR THE PERSON TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

ATTORNEY-CLIENT PRIVILEGE

ATTORNEY WORK PRODUCT

OTHER

FAX COVER SHEET

Please deliver the following materials as soon as possible

To: Lynn Zhao
Mail Stop 3HW80

Fax Phone Number: (215) 566-3114

Confirming Phone Number:

Confirmed By:

From: James M. Singer Date: October 3, 1996

Telephone #: (412) 394-5686 Floor: 8 NORTH

Client No.: 557 Matter No. 23413

No. of Pages (includ. cover sheet): 4

Additional Comments or Instructions

Return Originals To:

Jeanine

Floor No.

8



JAMES M. SINGER
Attorney at Law
(412) 394-5686

October 3, 1996

via FACSIMILE

Ms. Lynn Zhao
Mail Stop 3HW80
United States Environmental Protection Agency, Region III
841 Chestnut Street
Philadelphia, PA 19107

RE: NOVA Chemicals, Inc. - Notification of Hazardous Waste Activity

Dear Ms. Zhao:

As indicated in my September 27, 1996, letter to you, NOVA Chemicals, Inc. ("NOVA"), was scheduled to conduct hazardous waste activity on September 30, 1996, at two locations including a location at 3801 West Chester Pike, Newtown Square, Pennsylvania 19073 (the "Newtown Square Facility"). You have requested additional information relating to the division of the Newtown Square Facility between NOVA and ARCO Chemical Company ("ARCO"). In response to your request, the enclosed drawing generally depicts the layout of the Newtown Square Facility. NOVA will own and operate a small pilot plant which is denoted on the enclosed map as the "E" Building. All other areas of the plant will continue to be owned and operated by ARCO. ARCO and NOVA will conduct separate and distinct activities which will generate separate and distinct waste streams. Therefore, as we discussed, NOVA will require a new Facility Identification Number for this facility.

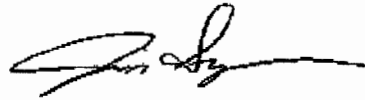
In response to your question about the amount of waste that will be generated by NOVA, NOVA expects to generate (on average) greater than 1000 kg (2,200 pounds) of hazardous waste at the Newtown Square Facility per calendar month.

Two Gateway Center
Pittsburgh, Pennsylvania 15222
412 / 394-5400
Fax 412 / 394-6576

Ms. Lynn Zhao
October 3, 1996
Page 2

Thank you for your assistance. Please call me at (412) 394-5686 if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Singer", with a long horizontal flourish extending to the right.

James M. Singer

JMS/

Enclosure

cc: Gregory D. Timmons, Esquire

